

**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
FARIDKOT HOUSE, COPERNICUS MARG
NEW DELHI-110001**

Original Application No.843 of 2019
(Through e-mail: judicial-ngt@gov.in)

No. SDM/MV/2019/4551.

Date: 17/12/2019

In The Matter Of:

Ramesh Chand

....Petitioner

Versus

Central Ground Water Authority & Ors.

....Respondents

Hon'ble Sir,

As directed vide Orders issued on 16.09.2019 in the abovementioned O.A., the factual position and the Action Taken Report in the matter is submitted as under:

1. The grievance of the applicant is that the sealing of borewell executed by Revenue Department at premises bearing No.C-2/46, New Ashok Nagar has become ineffective and illegal extraction of water is still going on at the said premises.
2. In pursuance of directions of Hon'ble Tribunal, a fresh site inspection was carried out over the said premises by Revenue Authorities on 06.12.2019 to ascertain the factual position.
3. During the fresh site inspection, it was found that the seal imposed by the Department as recorded in the Sealing Memo dated 15.05.2018 was intact and the borewell was observed as non-functional (Photographs annexed as 'A').
4. It was further observed that the said premises had no DJB water connection and supply.
5. The residents of the premises were putting up with the water stored in a Plastic Tanks and buckets kept at open floor and local verification confirmed that this water was arranged from helpful neighbours.
6. The present occupant of the said premises i.e. C-2/46, New Ashok Nagar was further directed vide Order dated 06.12.2019 to ensure that seal remains intact and also directed to appear before SDM, Mayur Vihar on 09.12.2019.
7. The present occupant Sh. Satish Kumar has furnished submissions in this regard stating as under:
 - a. Ramesh Chand, brother of Satish Kumar is alcoholic person who lives within this premises and has had scuffles with many of the nearby residents on many occasions.

- b. A property dispute between Ramesh Chand and Satish Kumar is pending before civil court.
- c. In support of his submissions, Satish Kumar has furnished copies of Final Orders u/s 107/151 & 107/150 of CrPC dated 22.05.2018, 21.02.2019 & 10.06.2019, under each of which Sh. Ramesh Chand was bound down on personal bonds to keep good behavior. In one of these matters, Satish Kumar was also a party and was also bound on a personal bond of Rs.10,000/- (copies of Orders dated 22.05.2018, 21.02.2019 & 10.06.2019 **annexed as 'B'**)

8. The submissions of Sh. Satish Kumar were followed by a representation of "Vikas Sudhar Samiti", C-II Block, New Ashok Nagar stating as under:

- a. That the instant applicant Sh. Ramesh Chand has earlier made complaints to the "Vikas Sudhar Samiti" on 26.12.2018, 05.10.2018, 10.09.2018, 20.08.2018, 24.07.2018, 16.07.2018, 07.05.2019, 23.05.2019 & 19.06.2019 which were found to be false and baseless by the Samiti.
- b. That the Samiti has claimed that Sh. Ramesh Chand is an alcoholic person and engaged in blackmailing activities by making frivolous complaints to various authorities.

In view of the fact that the necessary action against the borewell situated at C-2/46, New Ashok Nagar has already been taken on 15.05.2018 and the said seal is intact as on date, it is most respectfully prayed that no further action is required in the present O.A.


(RAJEEV KUMAR TYAGI)
SDM, MAYUR VIHAR



D.D. No:-46-A

DATED:22.05.18

P.S.: New Ashok Nagar

S/T.: - ASI Amarjeet Singh

Kalandara No. 370/18

S/V.: Ramesh Chand S/o Sh. Ranjeet Singh R/o C-2/46, New Ashok Nagar, Delhi.

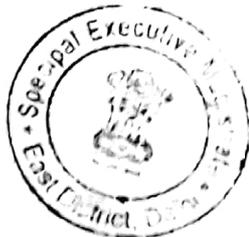
FINAL ORDER KALANDRA U/S 107/151 Cr. P.C

12.06.18 Respondent Ramesh Chand is present in police custody from JC. Heard, arguments in details.

During the court proceeding of the Kalandara, notice u/s 111 Cr P.C. was served to the respondent with the direction to show cause as to why he should not be bound-down to keep peace and good behavior. Ld counsel moved an application in which respondent plead guilty which is examined and placed on file.

I have carefully gone through the contents of the case file, application for plead guilty, statement of IO and other relevant material available on file. Keeping in view the above facts and circumstances, I hereby bound down the respondent Ramesh Chand u/s. 117 Cr.P.C for a period of six months on personal bond of Rs. 10,000/- to keep peace and good behavior and assured that he will not do any thing like that incident in future. Case is closed. Copy of order be given to the respondent and one copy also be sent to SHO concerned. Case file be consigned to record.

Announced in the open court.




SPECIAL EXECUTIVE MAGISTRATE
EAST DISTRICT, DELHI
DATED: 12.06.18

D.D. No:-20-A

DATED:10.06.19

P.S.: -New Ashok Nagar

S/T.: - SI Raghuraj Singh

Kalandara No. 342/19

S/V.: Ramesh Chand S/o Sh. Ranjit Singh R/o C-2/46, New Ashok Nagar, Delhi.

FINAL ORDER KALANDRA U/S 107/151 Cr. P.C

19 Respondent Ramesh Chand is present. PW/complainant Neeraj Dubey is also present.
Heard. arguments in details.

During the court proceeding of the Kalandra, notice u/s 111 Cr P.C. was issued to respondent with the direction to show cause as to why he should not be bound-down to keep peace and good behaviour. Ld counsel filed reply to the notice u/s 111 Cr. P. C. on behalf of respondent. Statements of IO and PW/complainant are available on record. In his statement PW/complainant Neeraj Dubey expressed still an apprehension of breach of peace & danger to his life and property at the hands of the respondent.

I have carefully gone through the contents of the case file, statements of IO and PW/complainant, reply of the respondent and other relevant material available on file. Respondent is very aggressive and create undiscipline in the open court. I have come to conclusion that there is still an apprehension of breach of peace to the public tranquility at the hands of the respondent.

Keeping in view the above facts and circumstances, I, hereby bound down the respondent Ramesh Chand u/s 117 Cr.P.C. for a period of three months on a personal bond in sum of Rs.6,000/- to keep peace and good behaviour. Case is closed. Copy of order be given to the respondent and one copy also be sent to SHO concerned. Case file be consigned to record.

Announced in the open court.



SPECIAL EXECUTIVE MAGISTRATE
EAST DISTRICT, DELHI
DATED: 21.11.19

D.D. No: - 29-A

DATED: - 21.02.19

P.S.: -New Ashok Nagar

S/T.: -ASI Satbir Singh

Kalandara No-32 & 33/19

S.A.: - Party-I:-

1. Ramesh Chand S/o Sh Ranjeet Singh R/o C-II/46, New Ashok Nagar, Delhi.

Party-II:-

1. Satish Kumar S/o Sh Ranjeet Singh R/o C-II/46, New Ashok Nagar, Delhi..

FINAL ORDER KALANDRA U/S 107/150 Cr. P.C

21.11.19 Respondents Ramesh Chand and satish Kumar are present. Heard, arguments in details.

During the court proceeding of the Kalandara, notices u/s 111 Cr P.C. were served to the respondents with the direction to show cause as to why they should not be bound-down to keep peace and good behaviors. Ld counsels filed their replies to the notice u/s 111 Cr.P.C. on behalf of all respondents from both sides. Statements of IO were recorded, which are available on both files.

I have carefully gone through the contents of the case file, statements IO, replies of respondents and other relevant material available on file. Both parties are family members rather real brothers and there was some dispute between both the parties over property matter and for which they have already filed civil cases in concern courts. Dispute is still present between both the parties as both the parties are very aggressive, shouting each other and create undiscipline in the open court. It seems that there is still an apprehension for breach of peace among them. Keeping in view the above facts and circumstances, I hereby bound down all the respondents from both sides u/s. 117 Cr.P.C for a period of three months on their personal bonds of Rs. 10,000/- each to keep peace and good behaviors in the area. Case is closed. Copy of order is given to the respondents and one copy also be sent to SHO concerned. Case file be consigned to record.

Announced in the open court.


SPECIAL EXECUTIVE MAGISTRATE
EAST DISTRICT, DELHI
DATED: - 21.11.19